

**MINUTES OF THE COURT OF APPEAL
STATE OF CALIFORNIA
SECOND APPELLATE DISTRICT**

October 19, 1999

DIVISION ONE

B123676 Sigelman
 v.
 Penuela

Filed order denying petition for rehearing.

B122856 Rail Cycle, L.P.
 v.
 City Council for the City of Commerce et al.

Filed order denying petition for rehearing.

DIVISION TWO

B132330 People (Not for Publication)
 v.
 Gutierrez

The Court:

The judgment is affirmed.

Boren, P.J., Nott, J., Mallano, J. (Assigned)

DIVISION TWO (Continued)

[illegible]

The order of wardship is affirmed; however, the trial court is ordered to modify its written order to reflect that the condition of probation is that appellant is to have no unexcused absences from school.

Boren, P.J.

We concur: Nott, J.
Mallano, J. (Assigned)

DIVISION THREE

Court convened at 9:30 A.M.

Present: Croskey, Acting P.J., Kitching, J., Aldrich, J., Schneider, J. (Assigned), and Valorie Gray, Deputy Clerk.

Each of the following:

B108801 Almasi v. Almasi
B123320 People v. Garceau et al.
B123815 People v. King
B121842 People v. Legans
B121661 People v. Wagley
B126682 People v. Williams
B127755 People v. Wright
B128237 People v. Garcia
B127770 People v. Parks
B119331 People v. Wisinskis
B123868 People v. Crummer
B124665 People v. Kracow
B133146 Patricia H. v. S.C.L.A.
B127271 People v. Purintun
B122490 People v. Simon
B123689 People v. Roger F.

DIVISION THREE (Continued)

Each of the following (cont.):

B121398 People v. Seeley
B124854 People v. Hammond
B129659 People v. Muro

Argument waived, cause submitted.

B117800 Camilo Lopez, Inc.
 v.
 Sully Miller Contracting Company

Merits:
Argued by Scott C. Pape for appellants and by Daryl J. Miller for
respondent. Cause submitted.

B125431 Katabalwa
 v.
 Wells Fargo Guard Services et al.

Merits:
Argued by Karl Gerber for appellant and by James O. Miller for
respondent. Cause submitted.

B122130 Guittierrez
 v.
 Los Angeles Taxi Cab et al.

Merits:
Argued by Guillermo W. Schnaider for appellant and by Mark S. Julius for
respondent. Cause submitted.

DIVISION THREE (Continued)

B119219 Quitania
 v.
 Ball, Ball & Brosamer, Inc., et al.

Merits:
Argued by Charles R. Messer for appellant and by James O. Miller for respondent. Cause submitted.

Court recessed at 10:35 A.M.

Court reconvened at 1:30 P.M.

Present: Croskey, Acting P.J., Kitching, J., Aldrich, J., Schneider, J. (Assigned), and Valorie Gray, Deputy Clerk.

B121789 People
 v.
 Ruiz et al.

Merits:
Argued by Marylou Hilberg and Sylvia Beckham for appellants and by April L. Sylvester, deputy attorney general, for respondent. Supplemental brief due by the respondent on October 29, 1999, response due by the appellants on November 8, 1999. Submission deferred.

B124175 Woodley
 v.
 Cerio et al.

Merits:
Argued by Fred S. Pardes for appellant and by Michael Harris for respondent. Cause submitted.

DIVISION THREE (Continued)

B124642 People
 v.
 Hernandez

Merits:
Argued by Christine C. Shaver for appellant and by Michael Keller, deputy attorney general, for respondent. Cause submitted.

B122291 People
 v.
 Avila

Merits:
Argued by Thomas T. Ono for appellant and by Jim Hart, deputy attorney general, for respondent. Cause submitted.

B119736 Chen
 v.
 Zhao

Merits:
Argued by Susan Chen, appellant in propria persona and by Jing Zhao, respondent in propria persona. Cause submitted.

B123757 Welles
 v.
 Graver

Merits:
Argued by Edward J. Horowitz for appellants and by Alan S. Gutman for respondent. Cause submitted.

DIVISION THREE (Continued)

B119887 Carlton
v.
Quint

Merits:

Argued by Kim D. McGuire for appellant and by Rita Gunasekaran for respondent. Cause submitted.

Court adjourned at 4:20 P.M.

DIVISION FOUR

B133123 Ziello et al.
v.
S.C.L.A.
First Federal Bank of California

Filed order modifying opinion. (No change in the judgment)

B121717 People (Not for Publication)
v.
Young

The judgment is modified to reflect the \$2,000 restitution fine imposed by the trial court and that appellant is ordered to pay a parole revocation fine of \$2,000 (§1202.45). The clerk of the superior court is directed upon issuance of the remittitur to prepare a corrected abstract of judgment as set forth in this opinion and to forward it to the Department of Corrections. The judgment is affirmed in all other respects.

Curry, J.

We concur: Vogel (C.S.), P.J.
Epstein, J.

DIVISION FOUR (Continued)

B128212 People (Not for Publication)
v.
Richard

For the foregoing reasons, the judgment is modified to impose and suspend a fine in the sum of \$200 pursuant to Penal Code section 1202.45, to impose a laboratory analysis fee of \$100 pursuant to Health and Safety Code section 11372.5, a penalty assessment in the sum of \$100 pursuant to Penal Code section 1464, and a penalty assessment in the sum of \$70 pursuant to Government Code section 76000. As modified the judgment is affirmed. The superior court is directed to prepare an amended abstract of judgment in accord with this modification.

Vogel (C.S.), P.J.

We concur: Epstein, J.
Hastings, J.

B124871 People (Not for Publication)
v.
Lara

For the foregoing reasons, the judgment is modified to impose and suspend a fine in the sum of \$5,000 pursuant to Penal Code section 1202.45. As modified, the judgment is affirmed. The superior court is directed to prepare an amended abstract of judgment reflecting this modification and the fine restitution fine imposed at the time of sentencing.

Epstein, J.

We concur: Vogel (C.S.), P.J.
Curry, J.

DIVISION FOUR (Continued)

[illegible]

The judgment is affirmed.

Curry, J.

We concur: Vogel (C.S.), P.J.
Hastings, J.

DIVISION FIVE

B126977 The People (Not for Publication)
v.
Enrique Vasquez

The judgment is modified to reflect a \$200 state penalty assessment pursuant to Penal Code section 1464 and a \$140 county penalty assessment pursuant to Government Code section 76000. The clerk of the superior court is directed to correct the abstract of judgment to reflect the above modifications, the \$200 sex offender fine imposed pursuant to Penal Code section 290.3 and the \$7200 parole revocation fine imposed and stayed pursuant to Penal Code section 1202.45. As modified, the judgment is affirmed.

Grignon, J.

We concur: Turner, P.J.
Godoy Perez, J.

DIVISION FIVE (Continued)

B126320 People (Not for Publication)
v.
Anthony F. Udom

The judgment is modified to impose penalty assessments of \$50 pursuant to Penal Code section 1464 and \$35 as required by Government Code section 76000. In all other respects, the judgment is affirmed. The clerk of the superior court shall prepare and deliver to the Department of Corrections an amended abstract of judgment reflecting these assessments.

Godoy Perez, J.

We concur: Grignon, Acting P.J.
Armstrong, J.

B126692 Kenneth M. Stern (Not for Publication)
v.
The Grossman Family Trust et al.

For the reasons set forth above, we affirm the judgment. Respondents to recover their costs on appeal.

Godoy Perez, J.

We concur: Grignon, Acting P.J.
Armstrong, J.

B122934 Robert Arkow (Not for Publication)
v.
State of California et al.

The judgment is affirmed. Respondents to recover their costs on appeal.

Godoy Perez, J.

We concur: Grignon, Acting P.J.
Armstrong, J.

DIVISION SEVEN

B124455 People (Not for Publication)
v.
Ramirez

The judgment is affirmed.

Neal, J.

We concur: Lillie, P.J.
 Johnson, J.

B127558 Judith Alicea (Not for Publication)
v.
Workers Compensation Appeals Board
Federal Reserve Bank of San Francisco, Respondent

The Opinion and Decision after Reconsideration is affirmed.

Neal, J.

We concur: Lillie, P.J.
Woods, J.

B126479 Greenhill (Not for Publication)
v.
James Ensign, as Co-Conservator, et al.
Estate of Gregory Giovengo

The order relieving respondent Greenhill and awarding her \$2,681 in attorneys fees is affirmed. Respondent shall recover her costs on appeal.

Neal, J.

We concur: Lillie, P.J.
Woods, J.

October 19, 1999-Continued

DIVISION SEVEN (Continued)

B126413 Portugal et al. (Not for Publication)
v.
City of Whittier

The judgment is affirmed. Respondent shall recover its costs on appeal.

Neal, J.

We concur: Johnson, Acting P.J.
 Woods, J.

B127333 Marik (Not for Publication)
v.
Federal Deposit Ins. Corporation

The judgment is affirmed. Respondent shall recover its costs on appeal.

Neal, J.

We concur: Johnson, Acting P.J.
Woods, J.

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